



Western Union Financial Services
(Australia) PTY Limited

Procedure for Disclosable Matters and
Protection of Whistleblowers

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1. INTRODUCTION

- (a) **Background and Purpose:** Western Union Financial Services (Australia) Pty Ltd (ACN 082 282 773) (the “*Company*”) is committed to detecting and addressing misconduct and ensuring that those who become aware of misconduct can report it without being concerned that it will negatively affect them or their position. This Procedure for Disclosable Matters & Protection of Whistleblowers (“*Procedure*”) relates to the protection of those ‘speaking up’ about misconduct (also known as ‘Whistleblowers’) and how the *Company* will respond to reports of misconduct in relation to its operations. This *Procedure* outlines protections and measures for persons who make a report in respect of a *Disclosable Matter* (as defined in paragraph 1(e) below) so they may do so confidentially and without fear of intimidation, disadvantage or retaliation.

This *Procedure* supplements Western Union’s Code of Conduct (“*Code of Conduct*”), which sets out information for individuals to report unethical or illegal practices as well as the handling and investigation of such reports. Where there is an inconsistency between this *Procedure* and the *Code of Conduct*, the terms of this *Procedure* will prevail to the extent of the inconsistency. The *Code of Conduct* is available [here](#).

Employees of the *Company* may make a report in respect of a *Disclosable Matter* or any other reportable event under the *Code of Conduct* or pursuant to this *Procedure*. If the report is made pursuant to this *Procedure* and the Eligibility Criteria are satisfied (see paragraph 1(g) below), the reporting person will be provided with applicable protections under the *Whistleblowing Legislation*.

- (b) **Application:** This *Procedure* applies to the *Company* and its directors, *Officers*, employees (whether permanent, part time, fixed term or temporary) (“*Personnel*”), contractors, consultants, secondees and suppliers.
- (c) **Interaction with Australian Whistleblowing Legislation & Definitions:** There are specific provisions under Australian legislation which provide Whistleblowers with legal rights in relation to certain types of disclosures.

The relevant legislation is the *Corporations Act 2001* (sections 1317AA to 1317AJ) and the *Taxation Administration Act 1953* (Cth) (sections 14ZZT to 14ZZZE) (the “*Whistleblowing Legislation*”).

This Policy contains a summary of parts of the *Whistleblowing Legislation*, and for further detail, employees should refer to the text of the legislation. This Policy is not intended to override any rights or obligations you may have under the *Whistleblowing Legislation*.

Italicized terms used in this *Procedure* have the meanings given in the Schedule.

- (d) **Employee Responsibilities:** The *Company* expects all employees and *Officers* to

report any *Disclosable Matters* in accordance with this *Procedure*. Failure to report *Disclosable Matters* may result in disciplinary action.

- (e) **Disclosable Matters:** The *Company* has determined, having reference to its business operations and practices, for the purposes of this *Procedure* and the *Whistleblowing Legislation*, “*Disclosable Matters*” refer to circumstances where a person has reasonable grounds to suspect or have information that:
- (i) a director, *Officer*, employee, contractor, supplier, tenderer or other person who has business dealings with the *Company* has engaged in misconduct (which includes negligence, fraud, breach of trust, breach of duty and default) or that there is an improper state of affairs in relation to the *Company* or any related body corporate of the *Company*; or
 - (ii) misconduct, or an improper state of affairs or circumstances, in relation to the tax affairs or the *Company* or an associate of the *Company* (“Tax Disclosures”); then this is a disclosable matter under the *Whistleblowing Legislation*. Examples of conduct which should be reported under this *Procedure* include:
 - (iii) illegal activity (e.g. theft, violence, harassment or intimidation, criminal damage to property or other breaches of state or federal law);
 - (iv) activity which is an offence against or a contravention of the *Whistleblowing Legislation* or the *Australian Securities and Investments Commission Act 2001* (Cth) and any other law administered by the Australian Securities and Investments Commission (ASIC). This would include conduct such as misleading and deceptive conduct, insider dealing and market manipulation;
 - (v) constitutes an offence against any other law of the Commonwealth of Australia that is punishable by imprisonment for a period of 12 months or more;
 - (vi) amounts to an abuse of authority or position;
 - (vii) involves harassment, discrimination, victimisation or bullying; or
 - (viii) constitutes a significant risk to public safety or the stability of, or confidence in, the financial system.

Examples of *Disclosable Matters* include corruption, bribery, fraud, financial irregularities, money laundering or misappropriation of funds, failure to comply with, or breach of, legal or regulatory requirements or engaging in detrimental conduct against a person that has made (or suspected to have made) or plans to make a disclosure under this *Procedure*.

- (f) **Other Matters:** Matters other than *Disclosable Matters* should be reported in accordance with the *Code of Conduct*. *Personal Work-Related Grievances* are not

covered by this *Procedure*.¹ For the avoidance of doubt, disclosures or reports that are not about *Disclosable Matters* do not qualify for protection under the *Whistleblowing Legislation*.

- (g) **Eligibility Criteria:** The protections under the *Whistleblowing Legislation* only apply to certain types of disclosures, known as *Qualifying Disclosures*.

For a Qualifying Disclosure to be made, a Whistleblower must:

- (i) be an *Eligible Whistleblower*;
 - (ii) be reporting on a *Disclosable Matter*; and
 - (iii) report that *Disclosable Matter* to an *Eligible Recipient*.
- (h) **Additional Protections:** Note that the *Whistleblowing Legislation* also grants whistleblower protection in certain other circumstances, such as disclosures to a legal practitioner for the purpose of obtaining legal advice or representation, disclosures to ASIC, the Australian Prudential Regulation Authority (APRA) or any other prescribed Commonwealth body or, subsequent thereto, disclosures that constitute “emergency disclosures” or “public interest disclosures” under the *Whistleblowing Legislation*. We recommend you seek legal advice if you are seeking to invoke any of these protections.

2. REPORTING PROCESS

2.1 When to report

It is important that the *Company* is aware of any information which allows it to appropriately manage risks to its employees, its customers, its property, its business and its reputation.

It is expected that persons who become aware of actual (or suspect on reasonable grounds, potential) cases of *Disclosable Matters*, will make a report under this *Procedure* or under other applicable Western Union policies at the earliest possible date.

2.2 How to make a report

You can make a report in respect of a *Disclosable Matter* by contacting:

- (a) The Business Integrity Helpline; or
- (b) A *Protected Disclosure Officer*.

2.3 Business Integrity Helpline

- (a) The Business Integrity Helpline is a secure and confidential way for employees to

¹ *Personal Work-Related Grievances* should be reported to a Human Resources or People Relations team member. You may wish to seek legal advice about your rights and protections under employment and contract laws before, commensurate with, or after reporting a *Personal Work-Related Grievance*.

report issues and concerns or seek advice about ethics issues. The Helpline is hosted on an external, non-Western Union service administered by an independent third-party. Reports to the Business Integrity Helpline may be made online or to the call centre.

- (b) Concerns reported on the Business Integrity Helpline are forwarded to Western Union's Business Integrity Office. The Business Integrity Office will determine the appropriate Western Union stakeholders that will be required for review and investigation. Such stakeholders may include representatives from Security, Fraud, Investigations, People Relations, Human Resources, Legal and/or Compliance in addition to the Business Integrity Office ("*Designated Investigators*").
- (c) You may make a report to the Business Integrity Helpline in any of the following ways:
 - (i) by submitting your questions or concerns online at wuethicshelpline.com;
 - (ii) by calling the following international toll-free numbers:
 - (A) from an outside line dial the AT&T Direct Dial Access for your location:
 - (1) Australia (Optus) – 1-800-551-155; or
 - (2) Australia (Telstra) – 1-800-881-011.
 - (B) at the prompt dial 844-893-1078
 - (C) the call will be answered in English. To continue your call in another language:
 - (1) please state your language to request an interpreter;
 - (2) it may take 1-3 minutes to arrange for an interpreter; and
 - (3) during this time please do not hang up.

2.4 Protected Disclosure Officers

- (a) The following personnel are *Protected Disclosure Officers* for the purposes of this *Procedure* and the *Whistleblowing Legislation*:
 - (i) Vice President, Managing Associate General Counsel, Business Legal, APAC;
 - (ii) Director, AML Compliance, APAC;
 - (iii) Regional Vice President – ANZ & Philippines; and
 - (iv) Human Resources Business Partner, APAC.
- (b) You may make a report to a *Protected Disclosure Officer* by posting a letter to Building 10, Level 11, Carrington Street, Sydney NSW 2000 (marked to the attention of the relevant *Protected Disclosure Officer*).

2.5 What to report

- (a) If you make a report by letter or via website, the subject of the written communication should make it clear that it is a report under this *Procedure*, so that its confidentiality can be maintained.
- (b) It is your right to remain anonymous while making a disclosure, over the course of the investigation and after the investigation is finalised. If you elect to remain anonymous, we will respect your right not to identify yourself, however, it may mean that our investigation will be limited. **Please specify in your report whether you consent to your identity being disclosed in the review and investigation process and any consequent action(s).** If you do not make a specification, we will assume that you are making the report on an anonymous basis. The extent of your anonymity can also be specified (i.e. *"I do consent to you sharing my identity with Designated Investigators but not to other employees or officers"*).
- (c) We do not expect an initial disclosure to include absolute proof of misconduct. Disclosures are most useful when they include key information that offers actionable insight. Disclosures should include as much of the following information as possible if known by the person reporting the misconduct:
 - (i) **What occurred** – describe the act that is suspected or has been witnessed. It is useful to also describe what should have happened, so the report taker is clear about the nature of misconduct being described. Report what occurred; the sequence of events leading up to witnessing the act; steps observed; and any actions taken to confirm suspicions or observations.
 - (ii) **How the misconduct was executed** – describe any factors that may have enabled the misconduct or contributed to misconduct going undetected, being concealed or being previously unidentified.
 - (iii) **Where it occurred** – the physical location/address where the misconduct occurred; the work location of those perpetrating misconduct; or the location where the misconduct was observed.
 - (iv) **When the misconduct occurred** – key dates of actions suspected or observed relating to the misconduct being disclosed. If a series of events occurred, offer these in chronological order if possible.
 - (v) **Who was involved** – offer names and job titles of those associated with the misconduct if known, or information that may help identify those that may have been associated with the misconduct. Also offer names of others that may have witnessed or played a role in the acts being reported.
- (d) The details in (c)(i)-(v) above will assist the *Company* in deciding how best to deal with the disclosure.
- (e) The *Company* does not require all information as part of an initial contact. For

example, you may decide to contact a *Protected Disclosure Officer* with high level information and then follow up with further detail later.

- (f) The *Company* encourages you to maintain ongoing communication with us regarding any concerns or issues you have raised under this *Procedure* and to provide us with full and complete information in order to assist us to investigate your report. If you have made an anonymous disclosure, you can refuse to answer any questions or provide any information that you feel could reveal your identity at any time.

2.6 Anonymous disclosures

Whistleblowers are able to make an anonymous disclosure and still be entitled to the protections set out in this *Procedure* and under the *Whistleblowing Legislation* if the other requirements for making the disclosure are complied with. Whistleblowers can remain anonymous over the course of the investigation and after any investigation has been finalised. A Whistleblower may refuse to answer questions that they feel could reveal their identity during follow-up conversations.

However, if the Whistleblower's identity is not provided when making a whistleblowing report this:

- (a) may prevent the *Company* from re-contacting the Whistleblower confidentially to clarify or confirm information supplied;
- (b) may impact on the *Company's* ability to proceed with an investigation - if there are gaps in information supplied that cannot be clarified directly in confidence with a Whistleblower;
- (c) will prevent the *Company* from updating the Whistleblower on the *Company's* efforts taken in response to their disclosure; and
- (d) may affect the *Company's* ability to take steps to protect the Whistleblower from detriment.

Whistleblowers who make anonymous reports are encouraged to maintain ongoing two-way communication with the *Company* so that the *Company*, where appropriate, can ask follow-up questions and/or provide feedback.

Even if a Whistleblower does not make the report on an anonymous basis the person receiving the report is not permitted to reveal the identity of the Whistleblower, or information that is likely to lead to the identification of the Whistleblower, except in certain circumstances as set out in section 4 below.

2.7 Disclosures outside of the *Company*

Generally only reports that are made to the recipients set out in this Policy will ensure protections are afforded to the Whistleblower making the report. **Making reports to others outside the *Company*, except to the appropriate regulator or to a legal**

practitioner, will not generally obtain the protection of the *Whistleblowing Legislation* or any other protections provided by this *Procedure*. It is therefore important to ensure that confidential information belonging to the *Company* is not disclosed outside of the *Company*, except to an appropriate regulator or legal practitioner for legal advice.

Further, there are two categories of disclosure that a Whistleblower may make to a journalist or a Member of Parliament and still obtain the protections of the *Whistleblower Legislation*. These are called Public Interest Disclosures and Emergency Disclosures.

Public Interest Disclosure - this category allows a Whistleblower to make a disclosure to a journalist or parliamentarian if:

- (a) the Whistleblower has previously made a disclosure to ASIC, APRA or any other prescribed Commonwealth authority;
- (b) at least 90 days have passed since the disclosure was made to ASIC, APRA or any other prescribed Commonwealth authority;
- (c) the Whistleblower does not have reasonable grounds to believe that action is being taken to address the matters to which the previous disclosure related;
- (d) the Whistleblower has reasonable grounds to believe that making a further disclosure of the information would be in the public interest; and
- (e) following the end of the 90 day period, the Whistleblower gives the body to which the previous disclosure was made a written notification that includes sufficient information to identify the previous disclosure and states that the Whistleblower intends to make a public interest disclosure.

Emergency Disclosure - this category allows a Whistleblower to make a disclosure to a journalist or a parliamentarian if:

- (a) the Whistleblower has previously made a disclosure to ASIC, APRA or any other prescribed Commonwealth authority;
- (b) the Whistleblower has reasonable grounds to believe that the information concerns a substantial and imminent danger to the health or safety of one or more persons or to the natural environment; and
- (c) the Whistleblower gives the body to which the previous disclosure was made a written notification that includes sufficient information to identify the previous disclosure and states that the Whistleblower intends to make an emergency disclosure.

For both Public Interest and Emergency Disclosures, the extent of the information disclosed must be no greater than is necessary to appropriately inform the recipient of the relevant misconduct or substantial imminent danger.

Unless a disclosure is being made under those provisions, speaking to a journalist or a member of parliament about confidential information in relation to the Company without authorisation is not permitted and may result in disciplinary action, up to and including termination of employment or engagement.

2.8 False, misleading or vexatious disclosures or reports

You are expected to have reasonable grounds to suspect the claims made in your disclosure or suspect the information you are disclosing is true. You will not be required to prove your allegations or be penalised if the information turns out to be incorrect, and you can still qualify for protection even if your disclosure turns out to be incorrect.

However, you must not make a report that you know is not true, is misleading or vexatious. Where it is found that a discloser did not have reasonable grounds to suspect the misconduct or improper state of affairs they have reported or they have knowingly made a false report, the Whistleblower protections will not apply. The making of a report in such circumstances may be a breach of this *Procedure* and the *Company's Code of Conduct* and will be considered a serious matter that may result in disciplinary action, such as demotion, suspension or termination of employment. There may also be legal consequences if you make a knowingly false report.

However, no action will be taken against an employee who makes a report, based on reasonable grounds to suspect misconduct or an improper state of affairs, which is not substantiated in a subsequent investigation.

3. INVESTIGATION PROCESS

3.1 Method of investigation

All reported disclosures will be reviewed, and where the *Company* considers appropriate will be investigated. The investigation process will vary depending on the precise nature of the conduct being investigated and if appropriate it will be executed in accordance with the *Code of Conduct*. We are committed to ensuring the fair treatment of any employees identified in any reports made in accordance with this *Procedure*. However, the *Company* retains discretion over how investigations should be handled. The way a disclosure is managed depends on what it involves and will be dealt with on a case-by-case basis.

Investigations will – to the extent reasonably practicable – be subject to the confidentiality and other protections set out in this *Procedure*, and will be undertaken by the appropriate person, in and/or outside the *Company*, depending on the nature of the investigation.

3.2 Who will conduct the investigation?

- (a) *Designated Investigators* will conduct the investigation.
- (b) If the report is not anonymous, a *Designated Investigator* may contact you to discuss the investigation process.

- (c) Where a report is submitted anonymously, a *Designated Investigator* will conduct the investigation and enquiries based on the information provided.
 - (i) In order to facilitate an investigation, it may be necessary to:
 - (ii) obtain specialist, independent advice including trained investigation staff from either inside the Company or refer the matter confidentially to a third-party investigation firm, if deemed appropriate having regard to the nature of the Disclosable Matter(s);
 - (iii) appoint a person to assist in the investigation of a matter which is the subject of a report; or
 - (iv) refer the matter to the police or law enforcement where disclosures refer to criminal behaviour.
- (d) In the conduct of an investigation, the Company may:
 - (i) determine the nature and scope of the investigation;
 - (ii) speak to anyone who may be affected or involved in the disclosure so that they are provided with the opportunity to respond to the allegation(s);
 - (iii) consider these responses; and
 - (iv) speak to witnesses (where there is a dispute as to the facts surrounding the allegations).
- (e) The findings of any investigation into a disclosure (together with any remediation action plan) will be subject to the confidentiality obligations set out in this Procedure. The method for documenting and reporting the findings will depend on the nature of the disclosure. Where necessary, any final investigation report may be redacted to protect the Whistleblower's identity or information that may identify the Whistleblower.

3.3 Fair treatment of employees that are the subject of a disclosure

The *Company* also aims to ensure the fair treatment of employees and other persons engaged by the *Company* who are mentioned in reports of *Disclosable Matters*, or to whom such disclosures relate. Fair treatment of those persons implicated in a misconduct disclosure includes but is not limited to:

- (a) the opportunity to be 'heard' on, and respond to the allegations as against them before any adverse findings are made against them; and
- (b) the opportunity to have their responses considered by the Company and, in appropriate circumstances, investigated.

During any investigation into a report of *Disclosable Matters*, any concerns about fair treatment, or questions about support that the *Company* may be able to provide, should be reported to Human Resources so that these matters may be addressed.

The *Company* will endeavour to respond promptly to any matters raised by parties who are the subject of a disclosure where such party has concerns about unfair treatment in the context of assessment of, and investigation into the Disclosable Matter.

3.4 Providing updates to those making misconduct disclosures

The *Company* will, where appropriate, provide the Whistleblower with updates at various stages of any investigation into the disclosure. Any updates supplied to a Whistleblower may need to be limited in order to also preserve the confidentiality of an investigation and the privacy of those potentially affiliated, named, implicated or associated with the matters disclosed. The frequency and detail of any updates supplied (where appropriate), and the initiation or resolution of any potential subsequent investigation, may vary according to the matters reported and the context of the misconduct disclosed.

The *Company* will, where appropriate, advise the Whistleblower of the conclusion of any investigation and may provide the Whistleblower with details of the outcomes of that investigation. Where claims cannot be substantiated, and the Whistleblower's identity is known – the *Company* reserves the right to deem a disclosure closed and notify the Whistleblower accordingly.

3.5 Proven misconduct

The *Company* reserves the right to institute performance management or take other disciplinary action, including termination of employment or engagement, in relation to those found to have committed corporate misconduct.

The *Company* also reserves the right to refer matters to law enforcement or regulatory bodies at any time should the misconduct in the *Company's* reasonable opinion warrant such a referral.

We set out in paragraph 4 below the protection you are entitled to if you make a report under this *Procedure*. You can still qualify for protection under this *Procedure* even if your disclosure turns out to be incorrect following completion of the investigation.

4. PROTECTION OF WHISTLEBLOWERS

4.1 Protection of your identity and confidentiality

- (a) You may choose to make a report on an anonymous basis. However, there are a number of advantages in connection with the investigation process if you disclose your identity.
- (b) If you do disclose your identity and you are an *Eligible Whistleblower* who is making a disclosure protected by the *Whistleblowing Legislation* via the methods set out in section 2.2 above or to other *Eligible Recipients*, the recipient has an obligation to keep your identity confidential. This includes keeping confidential information which could lead to the disclosure of your identity.

- (c) Subject to compliance with legal requirements, upon receiving a report under this *Procedure*, the *Company* will only share your identity as a Whistleblower or information reasonably likely to reveal your identity:
 - (i) In accordance with paragraph 2.5; or
 - (ii) If you provide consent; or
 - (iii) In accordance with, or where permitted by law.
- (d) We may disclose the information contained in your report with or without your consent if:
 - (i) the information does not include your identity;
 - (ii) we have taken reasonable steps to reduce the risk that you will be identified from the report (see paragraph 4.1(g) below); and
 - (iii) it is reasonably necessary for investigating the issues raised in the report
- (e) The *Company* has the legal right to share a Whistleblower's identity to certain authorities (such as ASIC, APRA and the Australian Federal Police or other prescribed body). Under the *Whistleblowing Legislation*, it is also permissible to:
 - (i) disclose information regarding the suspected or actual wrongdoing disclosed without revealing the Whistleblower's identity or information that is likely to lead to the identification of the Whistleblower; or
 - (ii) disclose the identity of a Whistleblower, or information likely to lead to his or her identification to a legal practitioner for the purposes of obtaining legal advice or representation in relation to the disclosure.
- (f) In order to allow for a proper investigation of the matter, and to provide support to the Whistleblower, the recipient of your disclosure may ask you to consent to the disclosure of your identity to specific individuals, such as persons reasonably necessary for the purposes of investigating matters the subject of your disclosure.
- (g) In order to reduce the risk that you will be identified from the information contained in a disclosure, we will ensure (to the extent possible) that:
 - (i) all personal information or reference to you witnessing an event will be redacted from the disclosure;
 - (ii) all information which identifies you, or which is likely to identify the Whistleblower, will be redacted from the disclosure;
 - (iii) you will be referred to in a gender-neutral context; and
 - (iv) where we determine it is appropriate, you will be contacted to help identify certain aspects of your disclosure that could inadvertently identify you.

- (h) We will ensure that all paper and electronic documents and other materials relating to your disclosure will be stored securely in accordance with paragraph 4.3.
- (i) If you are the *Eligible Recipient* of a report from a Whistleblower relating a *Disclosable Matter*, you must not reveal the identity, or information that is likely to lead to identification, of the Whistleblower without the written consent of the Whistleblower or without the express permission of the Chief Integrity Officer.
- (j) Note that it is illegal for a person to identify a discloser or disclose information that is likely to lead to their identification (other than as provided for in paragraphs 4.1(c), (d), (e) or (f)). If you believe a breach of confidentiality has occurred, you can lodge a complaint with the Ethics Helpline, a *Protected Disclosure Officer* or *Designated Investigator* assigned to the review of your report. It is also your right to lodge a complaint with the applicable regulator in Australia. A Whistleblower may also lodge a complaint with a regulator, such as ASIC or APRA, for investigation.
- (k) Information released in breach of this *Procedure* will be treated seriously and may result in disciplinary action, including dismissal. A breach of this *Procedure* may in certain circumstances also result in criminal sanctions.

4.2 Protection against detrimental conduct

The *Company* is committed to protecting and respecting the rights of Whistleblowers. We will not tolerate any detrimental conduct caused, or threatened to be caused against any person who has made, or is believed to have made, a report regarding *Disclosable Matters* or a report under this *Procedure*. Detrimental conduct or detriment includes, without limitation:

- (a) dismissal;
- (b) injuring a person in their employment, (e.g. not giving an employee legal entitlements such as pay or leave);
- (c) demotion;
- (d) changing an employee's job to their disadvantage;
- (e) offering a potential employee different (and unfair) terms and conditions for the job compared to other employees;
- (f) harassment or intimidation of a person;
- (g) discrimination between employees to the disadvantage of a Whistleblower;
- (h) harm or injury to a person, including psychological harm;
- (i) not hiring someone because they have been a Whistleblower;
- (j) damage to a person's property, reputation, business or financial position;

- (k) disciplinary action;
- (l) bias;
- (m) threats; or
- (n) other unfavourable treatment.

Detrimental conduct does not include the management of unsatisfactory work performance (where in line with the *Company's* performance management framework).

If you are subjected to detrimental conduct, or become aware of others who are experiencing detrimental conduct, as a result of making a report under this *Procedure* you are required to:

- (a) Inform a *Protected Disclosure Officer, Officer or Senior Manager*;
- (b) Raise it to the Business Integrity Office or Ethics Helpline in accordance with paragraph 2.3 of this *Procedure*; or
- (c) Inform Human Resources.

You should also contact Human Resources if you have any questions about support that the *Company* may be able to provide. One of the supports the *Company* has available is access to its Employee Assistance Program. Employees are encouraged to access this program if they require any support in relation to a whistleblowing matter. You may reach out to the Employee Assistance Program in the following way.

- (a) Call the following numbers - 1300-361-964 (toll free) or +61-396-580-000; or
- (b) Visit the following website - one.telushealth.com.

Where appropriate, to protect a Whistleblower from the risk of detriment, the *Company* may:

- (a) allow a Whistleblower to perform their duties from another location;
- (b) reassign the Whistleblower to another role (at the same level); or
- (c) make modifications to the Whistleblower's workplace or the way work duties are carried out.

In some circumstances, the *Company* may be required to take administrative action to protect Whistleblowers from detriment. This administrative action is not detrimental conduct. It will also not be detrimental conduct where the *Company* is required to manage a Whistleblower's unsatisfactory work performance in line with the *Company's* performance management procedures. Where it is appropriate, the *Company* will inform the Whistleblower about the reason for any administrative or management action.

Any person involved in detrimental conduct may be subject to disciplinary action (including but not limited to termination of employment or engagement). In some circumstances, this may also be a criminal offence punishable by imprisonment. The

Company may refer any person that has engaged in detrimental conduct to law enforcement authorities for further investigation.

4.3 Protection of files and records

All files and records created from an investigation will be retained in accordance with Western Union's policies relating to information management standards and controls, privacy, information security and records retention.

5. TRAINING

- (a) We will offer training to our employees about this *Procedure* and their rights and obligations under it as appropriate.
- (b) We will provide training to our *Officers, Senior Managers* and *Protected Disclosure Officers* who may receive whistleblower reports about how to respond to them as appropriate.

6. DISTRIBUTION OF PROCEDURE

We will make this *Procedure* available to our *Personnel* in Australia: (i) by email; (ii) upon the start of their employment or engagement with us; and (iii) at any time by accessing We@WesternUnion's [Western Union Business Integrity Policies](#) webpage.

This *Procedure* will also be made available to the *Company's* suppliers upon request.

7. REVIEW

The *Company* may review this *Procedure* periodically to check that it is operating effectively and whether any changes are required to the *Procedure*. The *Company* may amend this *Procedure* from time to time at its discretion.

8. EMPLOYMENT

It is a condition of any employment or engagement with the *Company* that all *Personnel* must comply at all times with Western Union's policies and procedures. However, this *Procedure* does not form part of any agreement between the *Company* and any person, nor does it constitute terms and conditions of any person's employment or engagement with the *Company*, or otherwise create any contractually enforceable rights in their favour.

9. PROTECTIONS UNDER WHISTLEBLOWING LEGISLATION

- (a) **Specific protection:** If you are an *Eligible Whistleblower* that has satisfied the Eligibility Criteria (see paragraph 1(g)), you are protected from any of the following in relation to your disclosure:

- (i) civil liability (e.g. any legal action against the discloser for breach of an employment contract, duty of confidentiality or another contractual obligation);
- (ii) criminal liability (e.g. attempted prosecution of the discloser for unlawfully releasing information, or other use of the disclosure against the discloser in a prosecution (other than for making a false disclosure));
- (iii) administrative liability (e.g. disciplinary action for making the disclosure);
- (iv) no contractual or other remedy may be enforced or exercised against you on the basis of the disclosure; and
- (v) in some circumstances (e.g. if the disclosure has been made to a regulator), the information you provide is not admissible in evidence against you in criminal proceedings or in proceedings for the imposition of a penalty, other than proceedings in respect of the falsity of the information. There is no immunity from any action in relation to misconduct that the Whistleblower was involved in, but *Qualifying Disclosures* will be inadmissible in any such proceedings.

Additional legislative protections and remedies may also be available.

If a Whistleblower reports conduct in which they were involved, and actively cooperates in an investigation in which they may be implicated, the fact they have made a report may be taken into account as a mitigating factor when determining actions which may be taken against them.

Under the *Whistleblowing Legislation*, a person may bring civil proceedings for a compensation order or pursue civil penalties even when a criminal prosecution has not been, or cannot be, pursued. This may include circumstances in which a Whistleblower (or any other person) has suffered loss, damage or injury and the *Company* has failed to prevent a person from causing the detriment.

Whistleblowers should seek independent legal advice if they believe they are entitled to compensation or other relief under the *Whistleblowing Legislation*.

- (b) **Reinstatement of employment:** If the *Company* terminates your employment as a result of a Qualified Disclosure, you may ask the court for an order to reinstate you either in your original position, or in another position at a comparable level in the *Company*.
- (c) **Protection for whistleblowers against victimization:** It is an offence for a person to victimise you or another person by engaging in conduct that causes detriment in relation to a disclosure if:
 - (i) the person believes or suspects that you (or another person) made, may have made, proposes to make or could make a disclosure that qualifies for protection; and

- (ii) the belief or suspicion is the reason, or part of the reason, for the conduct.
- (d) **Compensation and other remedies:** You can claim compensation and other remedies through the courts if you:
 - (i) suffer loss, damage or injury because of a disclosure; and
 - (ii) the *Company* has failed to take reasonable precautions and exercise due diligence to prevent the detrimental conduct.

10. SPECIAL PROTECTIONS UNDER AUSTRALIAN LAW

- (a) If you make a disclosure about a breach of the *Whistleblowing Legislation*, your disclosure may be eligible for special protection under the *Corporations Act 2001* (Cth) provided that certain conditions are satisfied.
- (b) If you make a disclosure about a breach of any Australian tax law, you may be eligible for special protection under the *Taxation Administration Act 1953* (Cth) provided certain conditions are met.

We recommend that you seek independent legal advice in relation to making a report in respect of either of these matters.

SCHEDULE - DEFINITIONS

“Code of Conduct” has the meaning given in paragraph 1(a).

“Company” has the meaning given in paragraph 1(a).

“Designated Investigators” has the meaning given in paragraph 2.3(b).

“Disclosable Matters” has the meaning given in paragraph 1(e).

An ***“Eligible Recipient”*** must be:

- (a) an *Officer* or *Senior Manager* of the *Company* or related body corporate;
- (b) the internal or external auditor (including a member of an audit team conducting an audit) or actuary of the *Company* or related body corporate;
or
- (c) a *Protected Disclosure Officer* or a recipient of a disclosure made in accordance with paragraph 2.2(a).

Under the Whistleblowing Legislation, Whistleblowers may also report Disclosable Matters to:

- (a) the Australian Securities and Investments Commissions (ASIC)
- (b) the Australian Prudential Regulation Authority (APRA); or
- (c) any other prescribed Commonwealth authority or regulator

Additionally, the Whistleblowing Legislation allows Whistleblowers to make Tax Disclosures to the following *Eligible Recipients*:

- (a) the Commissioner of Taxation (ATO);
- (b) registered tax agent or Business Activity Statement (**BAS**) agent who provides tax agent services or BAS services to the *Company*
- (c) a *Senior Manager* of the *Company*; or
- (d) any other employee or officer (within the meaning of the Corporations Act 2001 (Cth)) of the *Company* who has functions or duties that relate to the tax affairs of the *Company*

However, if a whistleblowing report is made to one of these regulators the Company will not automatically become aware of that report and therefore may not be able to respond to it in accordance with this Policy.

A report will also qualify for protection where an eligible whistleblower makes a disclosure to a legal practitioner for the purposes of obtaining legal advice or legal representation about the operation of the Whistleblower Legislation, even in circumstances where the legal practitioner concludes that a disclosure does not relate to a 'disclosable matter'.

A Whistleblower can obtain additional information about making a disclosure, including which policy to make a disclosure under, by contacting Human Resources.

“Eligible Whistleblower” must be:

- (a) a current *Officer* of the *Company*;
- (b) a current employee of the *Company*;
- (c) a contractor or employee of a contractor that has a current contract to supply goods or services to the *Company*;
- (d) a spouse, child, dependent, or other relative of a person listed at (a) to (c) above; or
- (e) someone who was formerly any of the above (e.g. a former employee).

“Officer” means a current director or secretary of the *Company*, or any person:

- (a) who makes, or participates in making, decisions that affect the whole, or a substantial part, of the *Company*’s business; or
- (b) who has the capacity to affect significantly the *Company*’s financial standing; or
- (c) whose instructions or wishes the directors of the *Company* are accustomed to act in accordance with.

“Personal Work-Related Grievances” refers to matters that relate solely to personal work-related grievances, and that do not relate to detriment or threat of detriment to you. Personal work-related grievances are those that relate to your current or former employment and have, or tend to have, implications for you personally, but do not:

- (a) have any other significant implications for the entity (or another entity); or
- (b) relate to any conduct, or alleged conduct, about a *Disclosable Matter*.

Examples of grievances that may be work-related grievances include:

- (a) an interpersonal conflict or grievances between the discloser and another employee;
- (b) a decision that does not involve a breach of workplace laws;
- (c) a decision about the engagement, transfer or promotion of the discloser or staff member who has been overlooked for promotion;
- (d) a decision about the terms and conditions of engagement or employment of the discloser or a staff member who is not happy with their pay or their terms and conditions of engagement; or
- (e) a decision to suspend or terminate the employment or engagement of the discloser, or otherwise to discipline the discloser,

unless any of the above constitutes a Disclosable Matter because it relates to misconduct as defined in 1(e)(i) and (ii) above, a breach of Commonwealth employment or other laws punishable by 12 months imprisonment or more, or is a detriment imposed against a person due to them making a protected disclosure.

A *Personal Work-Related Grievance* may still qualify for protection if included in a mixed report with information about misconduct relating to a *Disclosable Matter*.

“Personnel” has the meaning given in paragraph 1(b).

“Procedure” has the meaning given in paragraph 1(a).

“Protected Disclosure Officers” are the personnel identified in paragraph 2.4.

“Qualifying Disclosures” has the meaning given in paragraph 1(g).

“Senior Manager” means a current employee of the *Company* with a designated role level of “Vice-President” or higher or those people who make, or participate in making, significant decisions of the *Company*.

“Whistleblowing Legislation” has the meaning given in paragraph 1(c).